PART I - ADMINISTRATIVE

Section 1. General administrative information

Title of project

Acquire Oxbow Ranch -- Middle Fork John Day River

BPA project number: 20134
Contract renewal date (mm/yyyy): ☐ **Multiple actions?**

Business name of agency, institution or organization requesting funding
The Confederated Tribes of the Warm Springs Reservation of Oregon

Business acronym (if appropriate) CTWSRO

Proposal contact person or principal investigator:

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NPPC Program Measure Number(s) which this project addresses
7.6A, 7.6B, 7.6C, 11.3A, 11.3D

FWS/NMFS Biological Opinion Number(s) which this project addresses

Other planning document references
1. Oregon Trust Agreement Planning (OTAP) Project
2. BPA Wildlife Mitigation Program Final EIS
3. BPA Watershed Management Program Final EIS
4. Assessing OTAP Project Using GAP Analysis
5. USFS Status of the Interior Columbia Basin: Summary of Scientific Finding
6. Wy Kan Ush Me Wa Kush Wit, CRITFC
7. CBFWA Guidelines for Enhancement, Operations, and Maintenance for Wildlife Mitigation Projects
8. Malheur Mational Forest Plan
9. John Day Salmon and Steelhead Production Plan (NPPC, 1990)
10. Stream Restoration Program for the Middle Fork Subbasin of the John Day River, Oregon Water Resources Department, May 1991.

11. Draft Stream Restoration Program for the Upper Main Stem of the John Day River, prepared for the John Day Basin Council, Bureau of Reclamation, 1992.

Short description
Acquire, protect and enhance 1,022 acres of riverine, riparian, meadow, and forest habitat on the Middle Fork John Day River.

Target species
summer steelhead, spring chinook salmon, bull trout, great blue heron, Canada goose, spotted sandpiper, yellow warbler, black-capped chickadee, western meadowlark, California quail, mallard, mink.

Section 2. Sorting and evaluation

Subbasin
John Day Subbasin

Evaluation Process Sort

CBFWA caucus	Special evaluation process	ISRP project type
Mark one or more caucus	If your project fits either of these processes, mark one or both	Mark one or more categories
☒ Anadromous fish ☐ Resident fish ☒ Wildlife	☐ Multi-year (milestone-based evaluation) ☒ Watershed project evaluation	☐ Watershed councils/model watersheds ☐ Information dissemination ☒ Operation & maintenance ☐ New construction ☒ Research & monitoring ☒ Implementation & management ☒ Wildlife habitat acquisitions

Section 3. Relationships to other Bonneville projects

Umbrella / sub-proposal relationships. List umbrella project first.

Project #	Project title/description
9705900	Securing Wildlife Mitigation Sites - Oregon
20116	Securing Wildlife Mitigation Sites - Oregon, Horn Butte
	Securing Wildlife Mitigation Sites - Oregon, McKenzie River Islands
	Securing Wildlife Mitigation Sites - Oregon, E.E. Wilson WMA Additions
	Securing Wildlife Mitigation Sites - Oregon, Multnomah Channel
	Securing Wildlife Mitigation Sites - Oregon, Ruthton Point (Mitchell Point)
	Securing Wildlife Mitigation Sites - Oregon, Trout Creek Canyon

20115	Securing Wildlife Mitigation Sites - Oregon, Irrigon WMA Additions
20112	Securing Wildlife Mitigation Sites - Oregon, Wenaha WMA Additions
20113	Securing Wildlife Mitigation Sites - Oregon, South Fork Crooked River
9705915	Juniper Canyon and Columbia Gorge Wildlife Mitigation Project
20140	Tualatin River National Wildlife Refuge Additions
9802200	Acquisition of Pine Creek Ranch
20090	Securing Wildlife Mitigation Sites - Logan Valley

Other dependent or critically-related projects

Project #	Project title/description	Nature of relationship
9705900	Securing Wildlife Mitigation Sites - Oregon	Umbrella project; explains intent for mitigation planning, coordination, and implementation by Oregon wildlife managers withini Oregon. Identifies priority projects with specific budgets that will help meet mitigation objectives.
	ODFW John Day Subbasin Umbrella Proposal	Umbrella project: explains management intent for anadromous and resident fish and wildlife in the John Day Subbasin.
9565	Assessing Oregon Trust Agreement Using GAP Analysis	A mitigation planning process tool used to analyze and rank potential mitigation projects with the basin.
9284	Oregon Trust Agreement Planning Project	A mitigation planning tool that includes methods for assembling a trust agreement and a list of potential mitigation projects.
9206800	Implementation of Willamette Basin Mitigation Program - Wildlife	A mitigation proprosal focusing on land acquisition/easement, enhancement, and management of lands in the Willamette Basin. Similar in function as Coalition's umbrella project.

Section 4. Objectives, tasks and schedules

Past accomplishments

Year	Accomplishment	Met biological objectives?
1993	Created a list of potential wildlife mitigation projects throughout Oregon.	Initiated process to identify and prioritize projects
1997	Compiled a more comprehensive prioritized lists of mitigation sites; identified Middle Fork John Day as a	Prioritized project areas

	priority area.	
1998	Developed partnership with The Nature Conservancy to facilitate project objectives.	Built partnerships to accomplish land acquisitions
1998	TNC began landowner negotiations for land acquisitions.	Began land acquisition to secure mitigation options
1998	Title to 1022-acre property secured by TNC.	Acquired lands protect anadromous fish, resident fish, and wildlife values. HEP analysis will be completed as part of project.

Objectives and tasks

Obj 1,2,3	Objective	Task a,b,c	Task
1	CTWSRO or other entity acquire property with funding from BPA	a	Complete/Update property appraisal
		b	Complete Level 1 hazardous materials assessment
		c	Draft legal documents and complete transaction
2	Complete Inventory and HEP assessment	a	Assemble HEP Team and identify target species
		b	Conduct field work
		c	Analyze data, complete report
3	Complete Hankin and Reeves Fish habitat inventory	a	Conduct field work, analyze data, and write report on habitat conditions
4	Develop Management Plans	a	Conduct additional field work to evaluate habitat conditions and restoration and management needs
0		b	Complete background research
		c	Write draft management plans
		d	Circulate for peer review
		e	Finalize plans
5	Maintain habitat values	a	Monitor/prevent livestock trespass, illegal dumping, or other illegal uses
		b	Maintain fences and gates
		c	Control non-native species
		d	Control public access

Objective schedules and costs

Obj #	Start date mm/yyyy	End date mm/yyyy	Measureable biological objective(s)	Milestone	FY2000 Cost %
1	10/1999	2/2000	Secure property		98.00%
2	5/2000	9/2000	Complete HEP Analysis		0.00%
3	5/2000	9/2000	Complete Hankin and Reeves Report		
4	2/2000	10/1999	Develop mitigation & management plans		1.00%
5	10/1999	10/2000	Implement plans to maintain habitat values		1.00%
				Total	100.00%

Schedule constraints
The approval of this project and funding availability from BPA anadromous fish and wildlife budgets.

Completion date
Operations and Maintenance will be covered under the NPPC Wildlife Program which requires BPA to provide adequate funding to sustain the project as long as the hydrsystem operations (FWP Measure 11.2.C.1).

Section 5. Budget

FY99 project budget (BPA obligated): $0

FY2000 budget by line item

Item	Note	% of total	FY2000
Personnel	Note: cost will be shared equally between anadromous fish and wildlife budgets see Section h.	%1	20,000
Fringe benefits	Note: cost will be shared equally between anadromous fish and wildlife budgets see Section h.	%0	4,600
Supplies, materials, non-expendable property	Note: cost will be shared equally between anadromous fish and wildlife budgets see Section h.	%0	10,000
Operations & maintenance		%0	
Capital acquisitions or improvements (e.g. land,	Note: cost will be shared equally between anadromous fish and	%97	2,550,000

buildings, major equip.)	wildlife budgets see Section h.		
NEPA costs	Note: cost will be shared equally between anadromous fish and wildlife budgets see Section h.	%0	5,000
Construction-related support		%0	
PIT tags	# of tags:	%0	
Travel	Note: cost will be shared equally between anadromous fish and wildlife budgets see Section h.	%0	5,000
Indirect costs	Note: cost will be shared equally between anadromous fish and wildlife budgets see Section h.	%1	18,464
Subcontractor	Note: cost will be shared equally between anadromous fish and wildlife budgets see Section h.	%1	15,000
Other		%0	0
TOTAL BPA FY2000 BUDGET REQUEST			$2,628,064

Cost sharing

Organization	**Item or service provided**	**% total project cost (incl. BPA)**	**Amount ($)**
The Nature Conservancy	Real estate acquisition, interim management, and technical services for management planning	%1	40,000
Oregon Water Trust	Instream water rights filings, certified water rights examination, technical assistance for management planning, and contribution of acquisition funds	%7	200,000
Confederated Tribes of the Warm Springs Reservation of Oregon	Technical expertise for development of management plans	%0	10,000
		%0	
Total project cost (including BPA portion)			$2,878,064

Outyear costs

	FY2001	**FY02**	**FY03**	**FY04**
Total budget	$75,000	$78,750	$35,000	$36,750

Section 6. References

Watershed?	Reference
☐	Beak Consultants, Inc. 1993. Audit of wildlife loss assessments for federal dams on the Columbia River and its tributaries. Prepared for the NPPC, Portland, OR.
☐	BPA, 1993. OR Trust Agreement Planning Project: Potential mitigation to the impacts on OR wildlife resources associated with relevant mainstream Col. R. and Willamette R. hydroelectic projects. BPA, U.S. Dept. of Energy, Portland, OR. DOE/BP-299-1.
☐	BPA. 1997a. Wildlife mitigation program final environmental impact statement. DOE/EIS - 0265. BPA, Portland, OR.
☐	BPA 1997b. Wildlife mitigation program final environmental impact statement. DOE/EIS - 0246. BPA, Portland, OR.
☐	BPA. 1997c. Wildlife mitigation program record of decision. DOE/EIS - 0246. BPA, Portland, OR.
☐	Northwest Power Act. 1980. Pacific Northwest electric power planning and conservation act, with index. BPA. U.S. Dept. of Energy. 40 pp.
☐	Northwest Power Planning Council. 1994. Columbia Basin Fish and Wildlife Program. NPPC 94-55. NPCC, Portland, OR. January 1994.
☐	ODFW 1997. Assessing OTAP Project Using GAP Analysis. In fulfillment of Project Number 95-65, Contract Number DE-BI179-92BP90299. Prepared for: BPA; Project Cooperators: USFWS, CTUIR, CTWSRO, BPT, Oregon Natural Heritage Program, Portland, OR.
☐	Prose, B., Farmer, A., and Olson R. 1986. Lost effectiveness of easement and fee title acquisition for mitigating wildlife losses. USDI, USFWS, Nat. Ecol. Center, Fort Collins, CO. 61pp.
☐	Rasmussen, L. and P. Wright. 1990a. Wildlife impact assessment, Bonneville Project, Oregon and Washington. Prepared for USFWS for U.S. Dept. of Energy, BPA, Portland, OR. 37pp.
☐	Rasmussen, L. and P. Wright. 1990b. Wildlife impact assessment, McNary Project, Oregon and Washington. Prepared for USFWS for U.S. Dept. of Energy, BPA, Portland, OR. 46pp.
☐	Rasmussen, L. and P. Wright. 1990c. Wildlife impact assessment, John Day Project, Oregon and Washington. Prepared for USFWS for U.S. Dept. of Energy, BPA, Portland, OR. 47pp.
☐	Rasmussen, L. and P. Wright. 1990d. Wildlife impact assessment, The Dalles Project, Oregon and Washington. Prepared for USFWS for U.S. Dept. of Energy, BPA, Portland, OR. 34pp.

PART II - NARRATIVE

Section 7. Abstract

The CTWSRO proposes to acquire land and water rights on the Middle Fork John Day River to provide dual benefits for fish and wildlife species. This project seeks funding from BPA Anadromous and Wildlife Mitigation budgets and has Oregon Wildlife Coalition support under the umbrella project, Securing Wildlife Mitigation Sites – Oregon #9705900. The project's specific objectives are to: 1) acquire 1022 acres, 4 miles of stream habitat and approximately 5 cfs of water rights, 2) complete a Habitat Evaluation Procedures analysis, 3) Complete a Hankin and Reeves fish habitat assessment, 4) develop a management and mitigation plan for the property, and 5) maintain habitat values on the property. The project will partially mitigate fish and wildlife impacts for the John Day Dam as outlined in the NPPC's Wildlife Program (NPPC 1994, Section 11.1, Section 7.6). It will improve habitat for the following target species: great blue heron, Canada goose, spotted sandpiper, yellow warbler, black-capped chickadee, western meadowlark, California quail, mallard, and mink as well as spring chinook salmon, summer steelhead, bull trout and Pacific lamprey. Fish and wildlife habitat protection will be secured through fee title acquisition. Management and enhancement planning will be guided by tribal fish and wildlife experts with input from Oregon Department of Fish and Wildlife, The Nature Conservancy, Soil and Water Conservation District, and the Forest Service. Results of project restoration and enhancement activities will be monitored and evaluated using Habitat Evaluation Procedures protocols and Hankin and Reeves Habitat Assessment methods for fish. Eight percent of the project costs will come from other sources. The project will compliment several on-going protection and restoration efforts on the John Day River.

Section 8. Project description

a. Technical and/or scientific background

The development of dams for hydropower, navigation, flood control, and irrigation inundated riverine, riparian, and upland habitats (NPPC 1994; BPA et.al. 1993). The Northwest Power Act of 1980 established and charged the NPPC with developing a comprehensive fish and wildlife program to protect, mitigate, and enhance fish and wildlife habitat in the Columbia Basin (Northwest Power Act, Section 4(H)(1)(A); NPPC 1994, Section 2). The Northwest Power Act also authorized and obligated BPA to fund implementation of mitigation projects consistent with the NPPC's FWP mitigation goals and objectives. The program, adopted in 1982, was amended in 1984, 1987, 1991-1993, and 1994.

Hydrosystem impacts to fish and wildlife were assessed in the mid-1980s. These impacts were independently audited and verified (Beak 1993) and were amended into the NPPC's FWP as unannualized construction losses (NPPC 1994, Section 11.3A.1). Wildlife impact assessments (Rassmussen and Wright 1990a, 1990b, 1990c, 1990d) estimated the loss of HUs as a result of the construction of the John Day Hydroelectric facility totaling an estimated 20,858 acres consisting of shrub/steppe grassland, riparian hardwood, riparian shrub, riparian herb, emergent wetland, sand dune, sand/gravel/cobble/mud, disturbed/bare/riprap, and open water cover types and approximately 6,708 acres of islands habitats.

The acquisition of the Oxbow Ranch on the Middle Fork John Day River project is proposed to offset habitat losses and related to the John Day hydroelectric facility. The project is located outside the Columbia River corridor, and therefore provides off-site mitigation. The project will protect and enhance in-kind mitigation for wetland and riverine/riparian habitats, both of which are considered high priority habitat types (NPPC 1994, Table 11-2). The project will provide protection and enhancement HUs for mallard, Canada goose, great blue heron, mink, western meadowlark, spotted sandpiper, California quail, and yellow warbler. A Habitat Evaluation Procedures Assessment will be completed for the property as part of this proposed project.

The project includes acquisition of 1022 acres including approximately 550 acres of bottomland riparian and wetland habitats and 472 acres of upland mixed conifer forests, 4 miles of riverine habitat on the Middle Fork John Day River and 5 of its tributaries, and senior water rights over 339 acres (totaling approximately 5 cfs). The property is located within the upper 0.5 miles upriver from The Nature Conservancy's (TNC's) Middle Fork John Day Preserve and is completely surrounded by the Malheur National Forest. The Middle Fork John Day River is one of only two in the entire Columbia River Basin that is specifically managed for wild spawning runs of middle Columbia River steelhead and spring Chinook salmon. There have been no hatchery introductions into the Middle Fork John Day. The property lies with in the upper 17 miles of the Middle Fork John Day River containing the majority of spawning grounds currently used by steelhead and salmon in the river. Bull trout are listed by the EPA as threatened. Summer steelhead are proposed to be listed as "threatened" in 1999. Also found on the site are bull trout and the Columbia spotted frog. The entire Middle Fork John Day River is part of the Oregon Scenic Waterways Program. Granite Boulder Creek, which runs through the tract, is one of two tributaries of the Middle Fork with the federally listed bull trout.

Although this area has high existing fish and wildlife values, there are habitat restoration opportunities. This section of the Middle Fork John Day River was dredged and plaster mined in the 1930's. Despite work being completed in the 1970's to restore riverine conditions, there is still evidence of past impacts. It has been used for livestock grazing for the century and the forests have been selectively logged and fires have been suppressed.

Both fish and wildlife will benefit from acquisition of this tract through protection of existing habitat values and from eventual restoration and enhancement of riverine and riparian habitats. Riparian and riverine habitat types are high priority habitat types in the Lower Mid-Columbia subregion as identified by the Northwest Power Planning Council's (NPPC's) Wildlife Program. Enhancement of riverine and riparian habitats will benefit various mammals, birds, reptiles, amphibians, and fish by improving water quality, creating more diverse riparian vegetation conditions, and lowering in-stream water temperatures.

b. Rationale and significance to Regional Programs

The Middle Fork John Day River project is consistent with the NPPC's Wildlife Program goal to achieve and sustain levels of habitat and species productivity as a means for fully mitigating fish and wildlife losses caused by construction and operation of the federal and non-federal hyrdoelectric system. (NPPC 1994, Section 11.1, Section 7.6). The project is also consistent with the specific principles outlined in Section 11.2D.1 of the FWP:

Least costly way to achieve the biological objectives

Permanent protection and enhancement of habitats provided by properties adjacent to the Middle Fork John Day River project will be achieved through land acquisition. According to a study that compared various mitigation methods, fee title acquisition and subsequent management is generally more cost effective than easement (Prose et al. 1986). The Oregon Trust Agreement Planning (OTAP) Project (BPA 1993) concurred with this finding.

Have measurable objectives

Wildlife and wildlife habitat will benefit from the Middle Fork John Day River project. Benefits will be quantified and Habitat Units, the unit of measure used in the Habitat Evaluation Procedures. We estimate that the project will generate a minimum of 250 to 500 protection Habitat Units. Species response will also be measured using various biological monitoring protocols. Fish benefits include protection of riparian and upland habitat, protection of water rights for in-stream use, and improving connections to other parcels of protected lands upstream and downstream from the Oxbow Ranch.

Provide riparian or other habitat that can benefit both fish and wildlife

This project will provide dual benefits for fish and wildlife. Middle Fork John Day River, a tributary of the John Day River, flows through the site. Summer steelhead and chinook salmon occur in the river and its tributaries. Bull trout occur in Granite Boulder Creek that crosses and joins the Middle Fork on the property. Restoration of wetland and riparian habitats will improve water quality and quantity, riparian vegetation conditions, and in-stream water temperatures. Acquisition will provide the opportunity to dedicate 5 cfs of irrigation rights in-stream to benefits. Transferring water rights to in-stream water flows will improve spring, summer, and fall habitat for steelhead and Chinook salmon in the Middle Fork John Day River.

Protect high quality native habitat and/or species of concern

The Middle Fork John Day River project will restore wetlands and riparian habitats that have been degraded by past land management practices including grazing, mining, and wetland draining but still provide important habitat benefits to fish and wildlife. The project will benefit all target wildlife species impacted by the John Day Hydroelectric

facility spring chinook salmon, summer steelhead, and bull trout. Improved habitat conditions will be protected from future threats.

Mitigate losses in-place in-kind

The Middle Fork John Day River will provide off-site mitigation for target species losses including in-kind mitigation through protection and restoration of wetland and riparian habitats and out-of kind protection and restoration of upland forest habitats.

Help protect or enhance natural ecosystems and species diversity over the long-term

Protection and enhancement of wetland and riparian habitats will occur at the Middle Fork John Day River project site in-perpetuity through enhancement of publicly owned land and acquisition of private land. The property of interest have been degraded by past land use practices; proposed enhancement activities will partially restore the historic aquatic, riparian, wetland grassland and forest habitat. Lands will be protected from future habitat degradation threats. Habitat suitability for target wildlife species will be enhanced and protected over the long-term. In addition to the mitigation target species and the species of concern listed above, the Middle Fork John Day River project will benefit other wildlife such as waterfowl, raptors, reptiles, amphibians, and mammals.

Complement the activities of the region's state and federal wildlife agencies and Indian tribes

Proposed mitigation activities will complement fish and wildlife management efforts on adjacent lands on the Middle Fork John Day River. This project is consistent Forest Service, and Nature Conservancy management goals for the Middle Fork John Day River. It is consistent with Oregon Department of Fish and Wildlife management plans, with the interests and efforts of the Grant County Soil and Water Conservation District and with the Watershed Council for the Basin.

Encourage formation of partnerships to reduce project costs/eliminate duplicative activities

This project is a high priority for fish and wildlife habitat protection and restoration by a number of agencies and organizations. The Nature Conservancy, Oregon Water Trust, The Confederated Tribes of the Warms Springs Reservation of Oregon, Grant SWCD, and Oregon Department of Fish and Wildlife are contributing cash, materials, and/or in-kind services to the project. Oregon Trout, Oregon Joint Venture, Malheur National Forest, U.S. Fish and Wildlife Service, and the Umatilla Tribe have all written letters of endorsement for the project including offers to help. Preliminary partnership discussions have been started with the North Fork Watershed Council.

c. Relationships to other projects

This project is in the John Day Subbasin, the only subbasin in the Columbia River basin that supports totally wild populations of salmon and steelhead (NNPC 1990). It is the second largest undammed river in the United States and the fourth largest drainage area in the state (21,072 km^2) (Wissmar 1994). The current condition of the basin is documented in the John Day River Subbasin Plan (NPPC 1990) which concluded that riparian habitat degradation is the most serious habitat problem in the John Day Basin with approximately 660 degraded stream miles identified (NPPC 1990). One of the stated objective for the basin is to "Protect existing anadromous fish habitat by preventing further watershed degradation and the resulting changes in quality, quantity and in-stream habitat" (NPPC 1990). This objective has also been incorporated into the tribal restoration plan Wy-Kan-Mi Wa-Kish-Wit (CRITFC 1995). While populations in the upper portion of the basin are in moderately good condition, populations in the lower mainstream area are in poor shape and declining (USDA 1996). Steelhead are being considered for listing under the Endangered Species Act by the National Marine Fisheries Service (NMFS). Since one of the primary objectives of this project is to protect and enhance the wild steelhead and salmon in the system it should substantively help in eliminating the continued decline of wild steelhead runs in the John Day basin. This proposal is consistent with the plan for steelhead that is being developed by the State of Oregon and being presented to NMFS in order to prevent listing.

The MFJD River is a State Scenic Waterway. It provides linkages to five miles of the Middle Fork John Day managed by the Malheur National Forest located upstream and downstream from the property and an addition 4.5 miles of the Middle Fork John Day River managed by The Nature Conservancy for fish and wildlife habitat protection and restoration. Acquisition of this property is consistent with the Malheur National Forest Plan that calls for acquisitions of private inholdings in the forest and advancing habitat protection for anadromous fish.

It has been identified as a high priority fish and wildlife mitigation site by the Oregon Wildlife Coalition (ODFW 1997). It is linked to the following ongoing and newly proposed projects.

Securing Wildlife Mitigation Sites – Oregon
This umbrella project proposal describes wildlife mitigation planning and implementation strategies for Oregon. It includes a list of specific mitigation projects that have been identified by the Oregon Wildlife Coalition as high priority sites. While all the individual projects are stand-alone projects, they collectively relate to one another in that their aim is achieving full mitigation for documented wildlife losses in Oregon. The umbrella proposal and the specific sites within the umbrella, including the Middle Fork John Day acquisition, are sponsored by the Oregon Wildlife Coalition. Implementation of the umbrella will give the Coalition the flexibility to fund specific projects as they become available.

ODFW Middle Fork John Day River Subbasin Umbrella
This umbrella explains the management intent for anadromous fish, resident fish, and wildlife in the Middle Fork John Day River Subbasin. Management objectives for key

species and strategies and actions that will be implemented to meet those objectives are described. This umbrella provides the link between fish and wildlife mitigation goals and objectives at the subbasin level. The Middle Fork John Day River project falls within the geographic area of this umbrella proposal and supports the goals and objectives of this project.

Assessing Oregon Trust Agreement Planning Project Using GAP Analysis
The purpose of this project was to develop strategies for implementing wildlife mitigation in Oregon. The results of the Oregon Trust Agreement Planning Project were re-evaluated using refined criteria. Potential mitigation sites were prioritized and the contribution of each site to target species and priority habitats was assessed. The Middle Fork John Day River area was identified as a high priority mitigation site. The results of the GAP Analysis project will continue to be used to identify, plan, and eventually implement priority projects throughout Oregon for the purpose of wildlife mitigation.

Oregon Trust Agreement Planning Project
Oregon's wildlife managers and tribes initiated this project as the means of achieving a trust agreement between Oregon and BPA for wildlife mitigation. A database containing information about potential mitigation sites and associated mitigation costs was compiled. This project lay the foundation for the GAP Analysis project.

Implementation of Willamette Basin Mitigation Program – Wildlife
The goal of this project is to cooperatively develop and implement measures to mitigate for wildlife habitat losses associated with the hydrosystem in the Willamette River basin. Specific mitigation activities (e.g., mitigation planning, land acquisition) have been implemented within this project for several years. The project functions similarly to the *Securing Wildlife Mitigation Sites – Oregon* umbrella in that the planning, proposal, and implementation of specific mitigation activities is done in a coordinated manner under the project title.

d. Project history (for ongoing projects)

During the mid 1980s, at the Council's direction, BPA funded studies to assess the wildlife losses attributable to the construction of and inundation by each major hydroelectric facility. The Council reviewed these assessments and amended its FWP to specify the number of Habitat Units that would constitute adequate mitigation for wildlife losses at each dam. BPA was authorized to proceed with mitigation projects.

Initially, BPA undertook negotiations to settle the losses for particular hydroelectric facilities. Although not endorsed by the Council, BPA settled with the State of Montana for losses at Libby and Hungry Horse Dams by developing a once-for-all time settlement with hold-harmless conditions. In 1989, the Council developed a wildlife mitigation project submittal and review process for most of the remaining hydroelectric facilities. However, in 1991, settlements were once again pursued. A settlement was reached

between the State of Idaho and BPA for the Dworshak hydroproject without the Council's full review.

In 1991, the Council approved BPA implementation of the Conforth Ranch wildlife mitigation project. In 1993, the State of Washington and BPA signed an interim 5-year agreement that guaranteed $45 million to Washington wildlife managers over a 5-year period. During this time, the Council issued a draft rule that: 1) endorsed agreements as the preferred method to achieve wildlife mitigation, 2) called upon BPA to draft short-term agreements with Oregon and Idaho, and 3) negotiate long-term agreements over the next three years. The Council held to its draft rule, adopting the final rule in November 1993, which still called for short-term agreements. The final rule also stated that if BPA could not enter into such agreements in 90 days, then the Council would solicit individual project proposals from the agencies and tribes, approve them for implementation, and call for project proposals each October thereafter.

It was during this time when the Council was calling upon BPA to enter into trust agreements with the State of Oregon and Idaho that the Oregon Wildlife Coalition initiated the Oregon Trust Agreement Planning (OTAP) Project (BPA 1993). This was Oregon's pre-mitigation planning effort to assess and prioritize mitigation needs and opportunities in the state. In January 1994, the Coalition began negotiating a trust settlement with BPA. Initially, BPA responded positively and it appeared that the Council's 90-day deadline for short-term agreements would be met. However, the negotiation process broke down when BPA announced that their FY94 and FY95 budgets contained no funds for new projects and when it became apparent that BPA was moving away from mitigation trusts. BPA failed to enter into short-term agreements with Oregon and Idaho so the project proposal solicitation process began in February 1994.

Once it became apparent from the Council's 1995 rule-making and BPA's Memorandum of Agreement with the region's wildlife managers that BPA funds for wildlife mitigation would become stable at $15 million per year through the year 2001, wildlife managers throughout the basin began discussing strategies for funding future wildlife mitigation. Various strategies were discussed, but all agreed that Oregon had not received a reasonable share of funds spent to date. The regional wildlife managers approved a budget for Oregon that called for Oregon wildlife managers to receive $275K in FY97, $500K in FY98, $4 million in FY99, $5M in FY00, and $6M in FY01.

The Oregon Wildlife Coalition then began to develop strategies to implement wildlife mitigation in Oregon. This involved initiating a project to reassess and build upon the findings of the OTAP Project. This project, *Assessing OTAP Process Using GAP Analysis* (ODFW 1997) provided information on potential mitigation and estimated their contribution to the mitigation of target species and priority habitats.

Both the Oregon Trust Agreement Planning Project and the Assessing OTAP Process Using GAP Analysis project identified the Middle Fork John Day River area as a locale with priority wildlife mitigation needs and opportunities. For more information on these

two Oregon wildlife mitigation planning efforts, refer to the Oregon Wildlife Coalition's *Securing Wildlife Mitigation Sites – Oregon* umbrella proposal (Project No. 9705900).

Recognizing the benefits of addressing Oregon's mitigation needs and opportunities in a coordinated manner, the Oregon Wildlife Coalition developed and submitted a coordination and planning budget proposal in 1996 for FY97 BPA funds. This project was initiated in the fall of 1997. For the FY98 project proposal process, the Coalition proposed to identify a small group of potential mitigation projects throughout the state. This proposal had a small planning and coordination budget component. In 1997, the Oregon Wildlife Coalition further investigated potential mitigation sites and developed a short-list of priority sites. For FY99, the Coalition submitted a more detailed *Securing Wildlife Mitigation Sites - Oregon* umbrella proposal that listed individual projects that would meet wildlife mitigation goals and objectives.

The Middle Fork John Day Project was identified as a priority project in *Assessing OTAP Process Using GAP Analysis* (ODFW 1997). The property came on the market in July, 1998. The Nature Conservancy completed an emergency acquisition of the property in November of this year to secure the opportunity to protect the property for fish and wildlife benefits. It is presented as a new project this year.

e. Proposal objectives

1) Acquire fish and wildlife mitigation rights over 1022 acres including 4.0 miles of the Middle Fork John Day River and lower portions of 5 tributary streams.

   Product(s): Land and water rights to benefit anadromous and resident fish and wildlife (HUs to be documented during FY2000 period), Property Appraisal, Level 1 Hazardous Materials

2) Complete a HEP Evaluation for the property.

   Product(s): HEP Evaluation Report.

3) Complete a Hankin and Reeves fish habitat inventory for all streams running through the property.

   Product(s): Hankin and Reeves Habitat Assessment Report.

4) Develop a management plan.

   Product(s): Management Plan

5) Maintain habitat values.

   Product(s): Maintenance of habitat for anadromous and resident fish and wildlife (HUs to be documented during FY2000 period),

f. Methods

Objective 1, Task a- Complete/Update Property Appraisal.
Methods: The existing appraisal of the property completed in September 1998 will be updated to reflect any market changes or a new appraisal will be completed as required by the Bonneville Power Administration. Request for bids will be sent to agency approved appraisers and the best bid will be accepted. The appraiser will be contracted. The appraisal would be submitted to BPA for review and approval.

Objective 1, Task b – Complete a Level 1 hazardous materials assessment.
Methods: Request for bids would be circulated and a consulting firm will be contracted to complete a Level 1 Hazardous Materials Assessment of the Property following BPA guidelines and policies.

Objective 1, Task c – Draft legal documents.
Methods: Tribal, BPA and Nature Conservancy attorneys will draft legal documents to secure property and establish responsibilities to meet the obligations of the NWPPC for Fish and Wildlife Mitigation.

Objective 2, Task a – Assemble HEP Team and identify Target Species.
Methods: A HEP team will be assembled from trained HEP staff from tribes and agencies interested in the project (CTWSRO, ODFW, USFWS. etc.), target species models and site conditions will be evaluated and appropriate species for evaluation will be selected.

Objective 2, Task b – Conduct field work.
Methods: Appropriate wildlife habitat delineations would be identified from wildlife habitat suitability models and mapped on aerial photographs and ground truthed. Field work to assess habitat conditions for target species will be completed based on standard HEP protocols.

Objective 2, Task c - Complete Report.
Methods: Project staff will analyze the data and will write a draft HEP report. The report will be submitted to the HEP team and outside peer reviewers. Comments will be collected and a final report will be written.

Objective 3, Task a – Conduct field work.
Methods: Field work will be completed using standard Hankin and Reeves methodology and protocols.

Objective 3, Task b – Analyze data and write report.
Methods: Project staff will analyze the data and will write a draft Hankin and Reeves report. The report will be submitted to outside peer reviewers. Comments will be collected and a final report will be written.

Objective 4, Task a – Conduct additional field work to evaluate habitat conditions and restoration and management needs.
Methods: Additional field work will be completed to assess needs such as maintenance for fences, gates, and signs, access management, fire safety and prescribed fire logistics management, and non-native species management. A certified water rights examination will be completed to document existing water rights.

Objective 4, Task b – Complete background research.
Methods: A literature review will be conducted, aerial photographs will be acquired, and land managers and resource specialists will be interviewed.

Objective 4, Task c – Write draft management plan.
Methods: The draft plan will include management goals and objectives, identification of management and habitat restoration and enhancement issues, literature review, summary of field data documenting current conditions and needs, consideration of alternative strategies and actions, identification of proposed best management strategies, and an implementation schedule with projected costs.

Objective 4, Task d – Circulate plan for peer review.
Methods: The draft plan will be circulated to other land and natural resource managers for peer review and comment.

Objective 5, Task a – Conduct defensibility monitoring.
Methods: Staff will patrol project boundaries and the interior throughout the year to inspect for evidence of trespass (illegal dumping, cattle trespass, and other unauthorized uses) inform visitors of regulations and purposes.

Objective 5, Task b – Maintain fences and gates.
Methods: Staff will send out a request for proposals for fence and gate evaluation and maintenance. A sub-contractor will be selected and a contract will be developed. Fence and gate maintenance generally includes reinforcing support structures, splicing wire, tightening wires, and replacing stays.

Objective 5, Task c –Implement non-native species control.
Methods: Project staff will implement interim measures to control and contain non-native species. Surveys will be conducted during the field season (as determined by plant phenology) to identify problems and time treatments. Generally mechanical control will be used to provide short-term control of population expansion.

g. Facilities and equipment

No new facilities or equipment are anticipated to be necessary at this time. Existing facilities of the project implementers will be used to minimize costs and to increase efficiency. CTWSRO has sufficient office and storage space, secretarial services, equipment, and computers to carry out this project's proposed tasks. We will need to rent a GSA vehicle periodically for this project.

h. Budget

The land acquisition cost is the fair market value of the property as determined by an appraisal completed and submitted for preliminary review to the Bonneville Power Administration in September 1998. Interim management costs include personnel expenses for maintaining the property, completing a HEP Analysis, and developing a management plan, supplies and contract expenses for repairing fences and other minor maintenance. Additional contract costs are included for updating or completing a new appraisal of the property, completing a Level 1 hazardous materials assessment, and completing a Hankin and Reeves Habitat Inventory. Additional interim management costs and technical and real estate assistance will be donated by The Nature Conservancy. The Oregon Water Trust will contribute $200,000 to acquisition of the properties to convert existing water rights to in-stream purposes. Out year budgets only address operations and maintenance. Restoration and enhancement costs will be determined in the management and mitigation plan. Outyear budgets will be adjusted based on those results.

Personnel: .5 FTE, $40,000/year Project Manager

Fringe Benefits: Standard CTWSRO rate.

Services, Supplies, Materials, and Expendable Property: $ 5000 for fencing materials to maintain 20 miles of external fences on the property, $750 for miscellaneous expendable field equipment and supplies, $2000 for other maintenance supplies for non-native species control, road maintenance, gates, etc. $750 for aerial photography and maps for management planning.

Travel: Travel expenses costs if GSA vehicle and insurance for site monitoring, field work, and mileage and per diem to Portland to coordinate with BPA on land acquisition and management planning.

NEPA: Estimate of costs.

Indirect Cost Rate: Indirect cost rates of 41.4% is the CTWSRO negotiated federal/state contract overhead rate.

Subcontractor: $5,000 Subcontractor to complete Hankin and Reeves Inventory, $5000 fencing contractor to maintain fences, $2000 Level 1 Hazardous Materials Assessment, $3000 update Property Appraisal.

Section 9. Key personnel

Confederated Tribes of the Warm Springs Reservation

Name: Terry Luther
Title: Wildlife and parks Manager
Education: B.S. Wildlife Science, Oregon State University, 1976.
Experience: Currently responsible for the management and supervision of Fisheries, Wildlife and Parks programs on and off the Reservation. This involves oversight of 18 different projects and contracts including two seded area offices.

Name: Patty O'Toole
Title: Fisheries Biologist
Education: B.S. Zoology, Oregon State University.
Experience: Eight years experience in fisheries management, project planning and implementation (production management and habitat).

Name: Shaun Robertson
Title: Watershed Restoration Coordinator
Experience: Responsible for contract management, technical assistance, public education, and project review in the John Day Basin.

<u>The Nature Conservancy</u>

Name: Russ Pinto,
Title: Director of Protection, The Nature Conservancy of Oregon,
Education: BA 1971, university if Southern California, J.D., Seattle University, 1976,
Experience: Mr. Pinto is a real estate specialist with over 20 years of experience acquiring lands on behalf of federal, state, local governments, The Nature Conservancy, and Trust for Public Lands. He oversaw the conveyance of the conservation easements to Bonneville Power Administration at Willow Creek/Amazon Basin and provided assistance on the acquisition to the Bonneville Power Administration at Burlington Bottoms.

Name: Berta Youtie
Title: NE Oregon Stewardship Ecologist
Education: B.S. Range Science, Oregon State University, M.S. in Entomology
Experience: Berta has been The Nature Conservancy's NE Oregon Stewardship Ecologist for the past 12 years. Prior to that she worked for the Coville Tribe, and National Park Service.

Name: Ramon Lara,
Title: Middle Fork John Day Preserve Caretaker
Education: High School Graduate Grant Union High School
Experience: Ramon has been The Nature Conservancy's site manager for the Dunstan Homestead on the Middle Fork John Day River for the past 3.5 years and previously worked for 37 years as a Supervisory Forest Technician, Work Skills Instructor, Assistant Manager and Maintenance Technician for the US Forest Service.

OREGON WATER TRUST

Name: Andrew Purkey,
Title: Executive Director of the Oregon Water Trust,
Education: B.A. University of Oregon, M.S. Natural Resources Policy, Harvard University's Kennedy School of Government
Experience: Andrew has been the Executive Director of the Oregon Water Trust since 1994. He previously worked for the Oregon State Legislature, US Congress, and The Nature Conservancy and an environmental consulting firm.

Name: Dr. Leslie Bach
Title: Associate Director Science
Education: Ph.D. in Water Resources from Colorado State University, M.S. in Hydrology and Soil Physics at New Mexico, B.S. University of California at Davis
Experience: 7 years as Research Scientist, USDA – Agricultural Research Service, 2 Years as Forest hydrologist, Umatilla National Forest, __ years, Watershed Assessment Coordinator, Department of Environmental quality.

Oregon Departmetn of Fish and Wildlife

Susan Barnes
Current Employer: ODFW
Title: Columbia Basin Wildlife Mitigation Coordinator
Current Responsibilities: Coordinates Oregon's BPA wildlife mitigation efforts; facilitates the Oregon Wildlife Coalition; ODFW representative of CBFWA Wildlife Caucus
Education: B.S. Wildlife Management/Forestry, Univ. of New Hampshire 1991
Certifications: certified in Habitat Evaluation Procedures
Experience: 10 years wildlife experience
Areas of Expertise: Project development, coordination, and oversight; threatened and endangered species; NEPA
Previous Employment: Mason, Bruce & Girard, Inc. (environmental consulting firm); self-employed environmental consultant (contractor with NPPC); Beak Consultants, Inc. (environmental consulting firm); U.S. Forest Service (Wildlife Biologist)
Anticipated Middle Fork John Day Project Duties: Indirectly oversee project implementation; coordinate the project within the Coalition's umbrella project proposal.

Section 10. Information/technology transfer

Information transfer/exchange will be accomplished through a variety of forums Information and technologies developed as part of this project would be shared with other interested agencies and organizations through directed communications. Technical reports, management plans, HEP Evaluations, annual progress reports to BPA would be made available through public libraries and via the internet. Regular project updates would be given to the Watershed Council. Information exchange will also occur through public forums such as open houses, tours, local newspaper press releases, scientific articles, and public announcements. Blue Mountain Natural Resources Institute has

highlighted projects in the basin and sponsored information and technology transfer programs.

Congratulations!